

## PATENT Customer No. 22,852 Attorney Docket No. 05725.1318-00000

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	Application of:	)
	Chrystel POURILLE-GRETHEN et al.	) Group Art Unit: 1751
Appli	cation No.: 10/814,338	) Examiner: Eisa B. ELHILO
Filed:	April 1, 2004	) )
For:	A METHOD OF DYEING HUMAN KERATIN MATERIALS WITH A LIGHTENING EFFECT WITH COMPOSITIONS COMPRISING AT LEAST ONE FLUORESCENT DYE AND AT LEAST ONE AMPHOTERIC OR NONIONIC SURFACTANT, COMPOSITION THEREOF, PROCESS THEREOF AND DEVICE THEREOR	) Confirmation No.: 5358 ) ) ) ) ) ) )

#### MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Supplemental Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Supplemental Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Application No. 10/814,338

Copies of the listed documents, excluding any U.S. Patents, U.S. Patent

Application Publications, and co-pending applications, are attached. Applicants
respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the following non-English language documents listed on the attached Form PTO/SB/08, Applicants provide the following remarks:

- 1. AT 302 534 This document is believed to be related to U.S. Patent No. 3,658,985, listed on the attached Form PTO/SB/08.
- 2. <u>CH 487 231</u> This document is believed to be related to GB Patent No. 1214394, submitted herewith.
- 3. **DE 100 29 441 A1** An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 4. **DE 101 41 683 A1** An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 5. **DE 101 48 844 A1** An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 6. <u>DE 196 46 804 A1</u> This document is believed to be related to U.S. Patent No. 5,830,446, listed on the attached Form PTO/SB/08.
  - 7. **DE 199 26 377 A1** An abstract of the disclosure of this document can be

Application No. 10/814,338

found in the English language Derwent Abstract submitted herewith.

8. **DE 33 13 332** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

- 9. **EP 0 080 976 B1** An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 10. **EP 0 087 060** An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 11. **EP 0 714 954 A2** This document is believed to be related to U.S. Patent No. 5,708,151, listed on the attached Form PTO/SB/08.
- 12. **EP 0 808 150** This document is believed to be related to U.S. Patent No. 6,106,577, listed on the attached Form PTO/SB/08.
- 13. <u>EP 0 815 828 B1</u> This document is believed to be related to U.S. Patent No. 6,120,780, listed on the attached Form PTO/SB/08.
- 14. **EP 0 970 684** This document is believed to be related to U.S. Patent Application Publication No. 2005/0144741, listed on the attached Form PTO/SB/08.
- 15. **EP 1 023 891 A1** An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 16. **EP 1 099 437 A1** An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.

- 17. <u>EP 1 132 076 A1</u> This document is related to U.S. Patent Application Publication Nos. 2001/0055580 A1 and 2002/0176836 A9, listed on the attached Form PTO/SB/08.
- 18. **EP 1 191 041 A2** This document is believed to be related to U.S. Patent Application Publication No. 2002/0131941 A1, listed on the attached Form PTO/SB/08.
- 19. <u>FR 1,492,597</u> This document is believed to be related to U.S. Patent No. 3,472,840, listed on the attached Form PTO/SB/08.
- 20. FR 1,583,363 This document is believed to be related to U.S. Patent No. 3,632,559, listed on the attached Form PTO/SB/08.
- 21. **FR 2,077,143** This document is believed to be related to U.S. Patent No. 3,910,862, listed on the attached Form PTO/SB/08.
- 22. <u>FR 2,080,759</u> This document is believed to be related to U.S. Patent No. 3,912,808, listed on the attached Form PTO/SB/08.
- 23. **FR 2,103,210** This document is believed to be related to U.S. Patent No. 3,639,127, listed on the attached Form PTO/SB/08.
- 24. <u>FR 2,162,025</u> This document is believed to be related to U.S. Patent Nos. 3,917,817 and 4,013,787, listed on the attached Form PTO/SB/08.
- 25. FR 2,190,406 This document is believed to be related to U.S. Patent Nos. 3,912,808 and 3,986,825, listed on the attached Form PTO/SB/08.
  - 26. FR 2,252,840 This document is believed to be related to U.S. Patent

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Attorney Docket No. 05725.1318-00000 Application No. 10/814,338

Nos. 4,172,887; 4,189,468; and 4,277,581, listed on the attached Form PTO/SB/08.

- 27. <u>FR 2,270,846</u> This document is believed to be related to U.S. Patent Nos. 4,217,914; 4,422,853; 4,948,579; and 5,196,189, listed on the attached Form PTO/SB/08.
- 28. <u>FR 2,280,361</u> This document is believed to be related to U.S. Patent No. 4,013,787, listed on the attached Form PTO/SB/08.
- 29. **FR 2,316,271** This document is believed to be related to U.S. Patent Nos. 4,197,865; 4,381,919; and 4,608,250, listed on the attached Form PTO/SB/08.
- 30. FR 2,320,330 This document is believed to be related to U.S. Patent Nos. 4,075,136 and 4,166,894, listed on the attached Form PTO/SB/08.
- 31. FR 2,336,434 This document is believed to be related to U.K. Patent No. GB 1,546,809, submitted herewith.
- 32. FR 2,368,508 This document is believed to be related to U.S. Patent Nos. 4,189,468 and 4,277,581, listed on the attached Form PTO/SB/08.
- 33. <u>FR 2,383,660</u> This document is believed to be related to U.S. Patent Nos. 4,240,450; 4,445,521; 4,719,099; and 5,009,880, listed on the attached Form PTO/SB/08.
- 34. <u>FR 2,393,573</u> This document is believed to be related to U.S. Patent Nos. 4.165,367 and 4,223,009, listed on the attached Form PTO/SB/08.
  - 35. FR 2,411,219 This document is believed to be related to U.S. Patent No.

Application No. 10/814,338

- 4,256,458, listed on the attached Form PTO/SB/08.
- 36. **FR 2,416,723** This document is believed to be related to U.S. Patent No. 4,237,243, listed on the attached Form PTO/SB/08.
- 37. FR 2,470,596 This document is believed to be related to U.S. Patent Nos. 4.996,059 and 5,958,392, listed on the attached Form PTO/SB/08.
- 38. FR 2,505,348 This document is believed to be related to U.S. Patent No. 4,761,273, listed on the attached Form PTO/SB/08.
- 39. FR 2,519,863 This document is believed to be related to U.S. Patent Nos. 5,089,252 and 5,139,037, listed on the attached Form PTO/SB/08.
- 40. FR 2,542,997 This document is believed to be related to U.S. Patent No. 4,591,610, listed on the attached Form PTO/SB/08.
- 41. FR 2 586 913 This document is believed to be related to U.S. Patent No. 4,823,985, listed on the attached Form PTO/SB/08.
- 42. FR 2 589 476 An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 43. <u>FR 2,598,611</u> This document is believed to be related to U.S. Patent No. 4.839,166, listed on the attached Form PTO/SB/08.
- 44. **FR 2,692,572** This document is believed to be related to U.S. Patent No. 5,792,221, listed on the attached Form PTO/SB/08.

- 45. **FR 2,741,261** This document is believed to be related to U.S. Patent No. 5,830,446, listed on the attached Form PTO/SB/08.
- 46. **FR 2,797,877** An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
- 47. **FR 2,800,612** An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 48. **FR 2,811,993** This document is believed to be related to U.S. Patent Application Publication Nos. 2004/0141943 A1 and 2004/0124079 A1, listed on the attached Form PTO/SB/08
- 49. FR 2,820,032 This document is believed to be related to U.S. Patent Application Publication No. 2004/0205901, listed on the attached Form PTO/SB/08.
- 50. **FR 2,830,189** This document is believed to be related to U.S. Patent Application Publication No. 2005/0028301, listed on the attached Form PTO/SB/08.
- 51. <u>JP 48-17362</u> This document is believed to be related to U.S. Patent No. 3,658,985, listed on the attached Form PTO/SB/08.
- 52. <u>JP 54-86521</u> This document is believe to be related to U.S. Patent No. 4,256,458, listed on the attached Form PTO/SB/08.
- 53. <u>JP 2-200612</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
  - 54. JP 6-128128 This document is believed to be related to U.S. Patent No.

Application No. 10/814,338

5,356,438, listed on the attached Form PTO/SB/08.

- 55. **JP 6-183935** An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 56. <u>JP 6-227954</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 57. <u>JP 8-183716</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 58. <u>JP 8-208448</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 59. <u>JP 8-259426</u> This document is believed to be related to U.S. Patent No. 5,635,461, listed on the attached Form PTO/SB/08.
- 60. <u>JP 10-236929</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 61. <u>JP 11-21214</u> This document is believed to be related to U.S. Patent No. 4,961,925, listed on the attached Form PTO/SB/08. An English language abstract is also submitted herewith.
- 62. <u>JP 11-60453</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 63. <u>JP 11-343218</u> This document is believed to be related to U.S. Patent Application Publication Nos. 2002/046432 A1, 2003/019053 A9, and 2004/0148711 A1,

Application No. 10/814,338

listed on the attached Form PTO/SB/08.

64. <u>JP 2000-001417</u> - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.

- 65. <u>JP 2000-86472</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 66. <u>JP 2000-505841</u> This document is believed to be related to U.S. Patent No. 6,712,861 B2 and U.S. Patent Application Publication Nos. 2002/0004956 A1 and 2003/0000023 A9, listed on the attached Form PTO/SB/08.
- 67. <u>JP 2001-172120</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith. This document is also related to EP 1,099,437, submitted herewith.
- 68. <u>JP 2001-226217</u> This document is believed to be related to U.S. Patent Application Publication No. 2001/0031270 A1, listed on the attached Form PTO/SB/08.
- 69. <u>JP 2001-261534</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 70. <u>JP 2001-261536</u> This document is believed to be related to U.S. Patent No. 6,592,630 and U.S. Patent Application Publication No. 2001/005426, listed on the attached Form PTO/SB/08.
- 71. <u>JP 2001-294519</u> An abstract of the disclosure of this document can be found in the English language Japio Abstract, submitted herewith.

Application No. 10/814,338

72. <u>JP 2001-516701</u> - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.

- 73. <u>JP 2001-516706</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 74. <u>JP 2001-516707</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 75. <u>JP 2002-12523</u> This document is believed to be related to U.S. Patent No. 6,475,248 and U.S. Patent Application Publication No. 2002/026676, listed on the attached Form PTO/SB/08.
- 76. <u>JP 2002-12530</u> This document is believed to be related to U.S. Patent No. 6,616,709 and U.S. Patent Application Publication No. 2002/0088063, listed on the attached Form PTO/SB/08.
- 77. <u>JP 2002-226338</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 78. <u>JP 2002-249419</u> An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 79. <u>JP 2002-47151</u> An abstract of the disclosure of this document can be found in the English language Aurigin Abstract, submitted herewith.
- 80. <u>JP 2003-55177</u> This document is believed to be related to U.S. Patent Application Publication No. 2003/0074747 A1, listed on the attached Form PTO/SB/08.

Application No. 10/814,338

81. <u>JP 2004-59468</u> - An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.

- 82. <u>WO 93/11103</u> This document is believed to be related to the U.S. Patent No. 5,833,997, listed on the attached Form PTO/SB/08.
- 83. <u>WO 97/18795</u>: This document is believed to be related to U.S. Patent No. 6,106,577, listed on the attached Form PTO/SB/08.
- 84. <u>WO 99/12846</u> This document is believed to be related to the U.S. Patent No. 5,873,494, listed on the attached Form PTO/SB/08.
- 85. **WO 01/62759 A1** This document is believed to be related to the U.S. Patent Application Publication No. 2003/0055268, listed on the attached Form PTO/SB/08.
- **86.** <u>WO 01/78669</u> This document is believed to be related to U.S. Patent Application Publication No. 2003/131424, listed on the attached Form PTO/SB/08.
- 87. WO 02/32386 A2 An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 88. <u>WO 02/38115 A1</u> The English language abstract of the disclosure of this document can be found on the front of this document. Also this document is believed to be related to U.S. Patent Application Publication No. 2004/0019981 A1, listed on the attached Form PTO/SB/08.
  - 89. WO 02/39964 A1 The English language abstract of the disclosure of this

Application No. 10/814,338

document can be found on the front of this document. Also this document is believed to be related to U.S. Patent Application Publication No. 2004/037796 A1, listed on the attached Form PTO/SB/08.

- 90. WO 02/45673 The English language abstract of the disclosure of this document can be found on the front of this document. Also this document is believed to be related to U.S. Patent Application Publication No. 2004/0049860 A1, listed on the attached Form PTO/SB/08.
- 91. <u>WO 02/058646 A1</u> The English language abstract of the disclosure of this document can be found on the front of this document. Also this document is believed to be related to U.S. Patent Application Publication No. 2002/0205901 A1, listed on the attached Form PTO/SB/08.
- 92. <u>WO 02/058647 A1</u> The English language abstract of the disclosure of this document can be found on the front of this document. Also this document is believed to be related to the U.S. Patent Application Publication No. 2004/0205901 A1, listed on the attached Form PTO/SB/08.
- 93. <u>WO 03/022232 A2</u> The English language abstract of the disclosure of this document can be found on the front of this document. Also this document is believed to be related to the U.S. Patent Application Publication No. 2004/0034945 A1, listed on the attached Form PTO/SB/08.
- 94. <u>WO 03/028685 A1</u> The English language abstract of the disclosure of this document can be found on the front of this document. Also this document is

Application No. 10/814,338

believed to be related to the U.S. Patent Application Publication No. 2005/0028301 A1,

listed on the attached Form PTO/SB/08.

95. Science Des Traitements Capillaires by Charles Zviak, 1988, published

by Masson, pp. 215 and 278 - The English translation of this disclosure can be found in

Charles Zviak, "The Science of Hair Care," vol. 7, pp. 215 and 278 (1986).

96. Yuki Kagoubutsu Jilen (Dictionary of Organic Compounds), Kodansha

Ltd., August 10, 2002, p. 908 - This document was cited by the Japanese Patent Office

in the counterpart patent application.

This submission does not represent that a search has been made or that no

better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the

documents as prior art against any claim in the application and Applicants determine

that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the Examiner the relevant facts and law

regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the

patentability of the disclosed invention over the listed documents, should one or more of

the documents be applied against the claims of the present application.

13

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: March 30, 2006

By:

Thalia V. Warnement Reg. No. 39,064

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				Application Number	10/814,338
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SIA	VIEWENI DI	AFFLICA	ARK OFF	Filing Date First Named Inventor Art Unit	1751
	(Use as many sheets			Examiner Name	E. Elhilo
Sheet	1	of	12	Attorney Docket Number	05725.1318-00000

		U.S. PATENTS	AND PUBLISHE	D U.S. PATENT APPLICAT	TIONS
Examiner Initials	Cite No.	Document Number  Number-Kind Code (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US 2,261,002	10/28/1941	Ritter	
	2	US 2,271,378	01/27/1942	Searle	
	3	US 2,273,780	02/17/1942	Ditmar	
	4	US 2,375,853	05/15/1945	Kirby et al.	
	5	US 2,388,614	11/06/1945	Kirby et al.	
	6	US 2,454,547	11/23/1948	Bock et al.	
	7	US 2,798,053	07/02/1957	Brown	
	8	US 2,851,424	09/09/1958	Switzer et al.	
	9	US 2,923,692	02/02/1960	Ackerman et al.	
	10	US 2,961,347	11/22/1960	Floyd	
	11	US-2,979,465	04/11/1961	Parran et al.	
	12	US 3,014,041	12/19/1961	Hausermann et al.	
	13	US 3,206,462	09/14/1965	McCarty	
	14	US 3,227,615	01/04/1966	Korden	
	15	US 3,472,840	10/14/1969	Stone et al.	
	16	US 3,632,559	01/04/1972	Matter et al.	
. "1	17	US 3,639,127	02/01/1972	Brooker et al.	
	18	US 3,658,985	04/25/1972	Olson, Jr. et al.	
	19	US 3,856,550	12/24/1974	Bens et al.	
	20	US 3,874,870	04/01/1975	Green et al.	
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	22	US 3,912,808	10/14/1975	Sokol	
	23	US 3,915,921	10/28/1975	Schlatzer, Jr.	
	24	US 3,917,817	11/04/1975	Vanlerberghe et al.	
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	28	US 4,001,432	01/04/1977	Green et al.	
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Examiner	Date		
Signature	Considered		

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

12

Sheet 2 of

Complete if Known						
Application Number	Application Number 10/814,338					
Filing Date	April 1, 2004					
First Named Inventor	Chrystel POURILLE-GRETHEN et al					
Art Unit	1751					
Examiner Name	E. Elhilo					
Attorney Docket Number	05725.1318-00000					

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	30	US 4,013,787	03/22/1977	Vanlerberghe et al.
	31	US 4,025,617	05/24/1977	Green et al.
	32	US 4,025,627	05/24/1977	Green et al.
	33	US 4,025,653	05/24/1977	Green et al.
	34	US 4,026,945	05/31/1977	Green et al.
	35	US 4,027,020	05/31/1977	Green et al.
	36	US 4,031,307	06/21/1977	DeMartino et al.
	37	US 4,075,136	02/21/1978	Schaper
İ	38	US 4,131,576	12/26/1978	lovine et al.
	39	US 4,157,388	06/05/1979	Christiansen
	40	US 4,165,367	08/21/1979	Chakrabarti
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Ī	42	US 4,172,887	10/30/1979	Vanlerberghe et al.
İ	43	US 4,185,087	01/22/1980	Morlino
	44	US 4,189,468	02/19/1980	Vanlerberghe et al.
	45	US 4,197,865	04/15/1980	Jacquet et al.
	46	US 4,217,914	08/19/1980	Jacquet et al.
İ	47	US 4,223,009	09/16/1980	Chakrabarti
	48	US 4,237,243	12/02/1980	Quack et al.
	49	US 4,240,450	12/23/1980	Grollier et al.
	50	US 4,256,458	03/17/1981	Degen et al.
"	51	US 4,277,581	07/07/1981	Vanlerberghe et al.
	52	US 4,381,919	05/03/1983	Jacquet et al.
	53	US 4,422,853	12/27/1983	Jacquet et al.
	54	US 4,445,521	05/01/1984	Grollier et al.
	55	US 4,509,949	04/09/1985	Huang et al.
	56	US 4,591,160	05/27/1986	Grollier
	57	US 4,608,250	08/26/1986	Jacquet et al.
	58	US 4,693,935	09/15/1987	Mazurek
	59	US 4,702,906	10/27/1987	Jacquet et al.
	60	US 4,719,099	01/12/1988	Grollier et al.
	61	US 4,719,282	01/12/1988	Nadolsky et al.
Examiner Signature	<u> </u>			Date Considered

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

12

Sheet 3 of

C	Complete if Known						
Application Number	Application Number 10/814,338						
Filing Date	April 1, 2004						
First Named Inventor	Chrystel POURILLE-GRETHEN et al						
Art Unit	1751						
Examiner Name	E. Elhilo						
Attorney Docket Number	05725.1318-00000						

		U.S. PATENTS	AND PUBLISH	ED U.S. PATENT APPLICATIONS
	62	US 4,728,571	03/01/1988	Clemens et al.
	63	US 4,761,273	08/02/1988	Grollier et al.
	64	US 4,781,724	11/01/1988	Wajaroff et al.
	65	US 4,823,985	04/25/1989	Grollier et al.
	66	US 4,839,166	06/13/1989	Grollier et al.
	67	US 4,948,579	08/14/1990	Jacquet et al.
	68	US 4,961,925	10/09/1990	Tsujino et al.
	69	US 4,972,037	11/20/1990	Garbe et al.
	70	US 4,996,059	02/26/1991	Grollier et al.
	71	US 5,009,880	04/23/1991	Grollier et al.
	72	US 5,089,252	02/18/1992	Grollier et al.
	73	US 5,139,037	08/18/1992	Grollier et al.
	74	US 5,188,639	02/23/1993	Schultz et al.
	75	US 5,196,189	03/23/1993	Jacquet et al.
	76	US 5,356,438	10/18/1994	Kim et al.
	77	US 5,445,655	08/29/1995	Kuhn et al.
	78	US 5,635,461	06/03/1997	Onitsuka et al.
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(Use as many sheets as necessary)

12

Sheet 4 of

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Application Number	10/814,338
Filing Date	April 1, 2004
First Named Inventor	Chrystel POURILLE-GRETHEN et al.
Art Unit	1751
Examiner Name	E. Elhilo
Attorney Docket Number	05725.1318-00000

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Sheet 5 of

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Application Number 10/814,338						
Filing Date	April 1, 2004					
First Named Inventor	Chrystel POURILLE-GRETHEN et al.					
Art Unit	1751					
Examiner Name	E. Elhilo					
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Examiner	Date	
Signature	Considered	

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

12

Sheet 6 of

C	omplete if Known				
Application Number	10/814,338				
Filing Date	April 1, 2004				
First Named Inventor	Chrystel POURILLE-GRETHEN et al.				
Art Unit	1751				
Examiner Name	E. Elhilo				
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(Use as many sheets as necessary)

12

Sheet 7 of

Complete if Known					
Application Number	10/814,338				
Filing Date	April 1, 2004  Chrystel POURILLE-GRETHEN et a				
First Named Inventor					
Art Unit	1751				
Examiner Name	E. Elhilo				
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(Use as many sheets as necessary)

12

Sheet 8 of

C	omplete if Known				
Application Number	10/814,338				
Filing Date	April 1, 2004				
First Named Inventor	Chrystel POURILLE-GRETHEN et al.				
Art Unit	1751				
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				First Named Inventor	Chrystel POURILLE-GRETHEN et al.	
517	STATEMENT BY APPLICANT			Art Unit	1751	
(Use as many sheets as necessary)				Examiner Name	E. Elhilo	
Shoot	1 0	of	12	Attorney Docket Number	05725 1318-00000	

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12

 Complete if Known

 Application Number
 10/814,338

 Filing Date
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 First Named Inventor
 Chrystel POURILLE-GRETHEN et al.

 Art Unit
 1751

 Examiner Name
 E. Elhilo

 Attorney Docket Number
 05725.1318-00000

(Use as many sheets as necessary)

Sheet 10 of

299

300

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Sheet

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				First Named Inventor	Chrystel POURILLE-GRETHEN et al.	
STATEMENT BY APPLICANT (Use as many sheets as necessary)			IN I	Art Unit	1751	
				Examiner Name	E. Elhilo	
Sheet	12	of	12	Attorney Docket Number	05725.1318-00000	

12

Sheet

of

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Examiner	Date	
Signature	Considered	
Olginature		